

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS The United States of America	DEFENDANTS MICHAEL J. CALLANDS 7701 Orchard Way Glenside, PA 19038
(b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant Montgomery (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
(c) Attorneys (Firm Name, Address, and Telephone Number) KML Law Group, P.C. – Rebecca A. Solarz, Esquire 701 Market Street, Ste. 5000, Phila., PA 19106 215-627-1322, rsolarz@kmlawgroup.com	Attorneys (If Known) _____

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																																
<table style="width: 100%;"> <tr> <td style="width: 50%;"> X 1 U.S. Government Plaintiff </td> <td style="width: 50%;"> 3 Federal Question (U.S. Government Not a Party) </td> </tr> <tr> <td> 2 U.S. Government Defendant </td> <td> 4 Diversity (Indicate Citizenship of Parties in Item III) </td> </tr> </table>	X 1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)	2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)	<table style="width: 100%;"> <tr> <th style="text-align: left;">PTF</th> <th style="text-align: left;">DEF</th> <th style="text-align: left;">PTF</th> <th style="text-align: left;">DEF</th> </tr> <tr> <td>Citizen of This State</td> <td>1</td> <td>X</td> <td>1</td> </tr> <tr> <td>Citizen of Another State</td> <td>2</td> <td>2</td> <td>2</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>3</td> <td>3</td> <td>3</td> </tr> <tr> <td>Incorporated or Principal Place of Business In This State</td> <td>4</td> <td>4</td> <td>4</td> </tr> <tr> <td>Incorporated and Principal Place of Business In Another State</td> <td>5</td> <td>5</td> <td>5</td> </tr> <tr> <td>Foreign Nation</td> <td>6</td> <td>6</td> <td>6</td> </tr> </table>	PTF	DEF	PTF	DEF	Citizen of This State	1	X	1	Citizen of Another State	2	2	2	Citizen or Subject of a Foreign Country	3	3	3	Incorporated or Principal Place of Business In This State	4	4	4	Incorporated and Principal Place of Business In Another State	5	5	5	Foreign Nation	6	6	6
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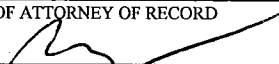
IV. NATURE OF SUIT (Place an "X" in One Box Only)													
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V. ORIGIN (Place an "X" in One Box Only)					
1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from Another District (specify)	6 Multidistrict Litigation

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. 1345 Brief description of cause: Enforced Collections
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VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: Yes X No
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VIII. RELATED CASE(S) IF ANY	(See instructions): JUDGE _____ DOCKET NUMBER _____
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DATE	SIGNATURE OF ATTORNEY OF RECORD
11/1/16	

FOR OFFICE USE ONLY

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

CIVIL ACTION NO.

vs.

MICHAEL J. CALLANDS

Defendant

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that the defendants do not agree with the plaintiff regarding said designation, that the defendants shall, with their first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which those defendants believe the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

10/31/2016

Date


 Rebecca A. Solarz, Esq.

Attorney for Plaintiff, United States of America
 Pennsylvania Attorney I.D. No. 315936
 Suite 5000 – BNY Independence Center
 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 825-6327 (Direct)
 FAX (215) 825-6443
 rsolarz@kmlawgroup.com

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA – DESIGNATION FORM to be used by counsel to indicate the category of the case of the purpose of assignment to appropriate calendar.

Address of Plaintiff: c/o Suite 5000 – BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1532

Address of Defendants: 7701 Orchard Way Glenside, PA 19038

Place of Accident, Incident or Transaction: ACTION OF ENFORCED COLLECTIONS

(Use Reverse Side For Additional Space)

Does this case involve multi-district litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier number case pending or within one year previously terminated action in this court?
Yes ☐ No ☒

CIVIL. (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

1. ☒ Indemnity Contract, Marine contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases

(Please specify) **Foreclosure of property encumbered by a federal mortgage.**

B. Diversity Jurisdiction Cases:

1. Insurance contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability – Asbestor
9. All other diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Rebecca A. Solarz, Esq., counsel of record do hereby certify:

- ☐ Pursuant to Local civil Rule 52.2, Section 2©(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.
- ☐ Relief other than monetary damages is sought.

DATE: 10/31/16

Attorney-at-Law

(sig)

315936
Attorney I.d.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 39.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 10/31/16

Attorney-at-Law

(sig)

315936
Attorney I.d.#

UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

MICHAEL J. CALLANDS

Defendant

CIVIL NO.

COMPLAINT

The United States of America, on behalf of its Agency, U.S. Department of Education, by its specially appointed counsel, Rebecca A. Solarz of KML LAW GROUP, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendants, MICHAEL J. CALLANDS ("Defendant") is 7701 Orchard Way, Glenside, PA 19038.
3. That the defendant is indebted to the plaintiff in principal amount of \$13,374.25, plus interest of \$6,391.33, for a total of \$19,765.58. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit "A" ("Certificate of Indebtedness").
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

(A) In the amount \$19,765.58.

(B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.

(C) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.

(D) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through
its specially appointed counsel
KML Law Group, P.C.

By: 

Rebecca A. Solarz, Esquire
BNY Independence Center
701 Market Street
Suite 5000
Philadelphia, PA 19106-1532
(215)825-6327
rsolarz@kmlawgroup.com

UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

MICHAEL J. CALLANDS

Defendant

CIVIL NO.

EXHIBITS

“A” CERTIFICATE OF INDEBTEDNESS

**U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA**

CERTIFICATE OF INDEBTEDNESS #1 OF 1

MICHAEL J. CALLANDS
7701 ORCHARD WAY
GLENSIDE, PA 19038-7640
Account No. XXXXX4520

I certify that U.S. Department of Education records show that the BORROWER named above is indebted to the United States in the amount stated below plus additional interest from 10/27/16.

On or about 12/04/01, the BORROWER executed a promissory note to secure a Direct Consolidation loan from the U.S. Department of Education. This loan was disbursed for \$9,302.29 and \$1,375.79 on 01/22/02 at 6.375% interest per annum. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685). The Department demanded payment according to the terms of the note, and the BORROWER defaulted on the obligation on 05/25/07. Pursuant to 34 C.F.R. § 685.202(b), a total of \$2,912.62 in unpaid interest was capitalized and added to the principal balance.

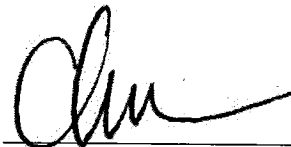
The Department has credited a total of \$3,230.32 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the BORROWER now owes the United States the following:

Principal:	\$13,374.25
Interest:	\$ 6,391.33
Total debt as of 10/27/16:	\$19,765.58

Interest accrues on the principal shown here at the rate of \$2.33 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 10/27/16



Gin Say Chan
Loan Analyst
Litigation Support Unit